

Friedman & James LLP
 Andrew V. Buchsbaum, Esq. (AB-6475) (abuchsbaum@friedmanjames.com)
 Attorneys for plaintiffs
 132 Nassau Street, Suite 900
 New York, NY 10038
 (212) 233-9385 (telephone)
 (212) 619-2340 (telefax)

-----X
 MICHAEL TOSCANO and DONNA TOSCANO,

07 Civ. 7855 (JFK) (BF)

Plaintiffs,

-against-

**MOTION TO ADMIT
 COUNSEL
 PRO HAC VICE--
D. John Neese, Jr.**

LINCOLN ELECTRIC COMPANY; HOBART
 BROTHERS COMPANY; ILLINOIS TOOL
 WORKS, INC.,; THE ESAB GROUP, INC.,;
 SELECT ARC, INC.; BOC GROUP, INC. f/k/a
 AIRCO, INC.; J.B. ALLOY CORPORATION
 a/k/a UNIBRAZE CORPORATION; PRAXAIR,
 INC.; TDY INDUSTRIES, INC.; TECHALLOY
 COMPANY, INC.; CBS CORPORATION, a
 Delaware corporation, f/k/a VIACOM, INC.,
 successor by merger to CBS CORPORATION,
 a Pennsylvania corporation, f/k/a WESTINGHOUSE
 ELECTRIC CORPORATION; UNION CARBIDE
 CORPORATION; EUTECTIC CORPORATION;
 A.O. SMITH CORPORATION; SANDVIK, INC.,;
 DELORO STELLITE COMPANY, INC.; ARCOS
 INDUSTRIES, L.L.C.; MILLER ELECTRIC
 MANUFACTURING CO., INC.; THE CITY OF
 NEW YORK; and JOHN DOES DEFENDANTS A-Z,

Defendants.
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 S.D. OF N.Y.

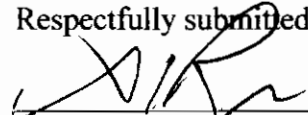
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts
 for the Southern District of New York, I, Andrew V. Buchsbaum, a member in good standing of the
 bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: D. JOHN NEESE, Jr.
Firm Name: Williams Kherkher Hart Boundas, LLP
Address: 8441 Gulf Freeway, Suite 600
City/State/Zip: Houston, TX 77017-5051
Phone Number: (713) 230-2200
Fax Number: (713) 643-6226

D. JOHN NEESE, JR. is a member in good standing of the Bar of the State of Texas. There are no pending disciplinary proceedings against D. JOHN NEESE, JR. in any State or Federal court.

Dated: New York, New York
October 30, 2007

Respectfully submitted,


Andrew V. Buchsbaum (AB-6475)
Friedman & James LLP
132 Nassau Street, Suite 900
New York, NY 10038
Telephone: (212) 233-9385
Telefax: (212) 619-2340

TO: DARGER & ERRANTE, LLP
116 E. 27th St., 12th Floor
New York, NY 10016
Attn: Vincent A. Errante, Esq.
Telephone: (212) 452-5300
Attorneys for Defendants The Lincoln Electric
Company, Hobart Brothers Company,
The ESAB Group, Inc., The BOC Group,
Inc., Praxair, Inc., TDY Industries, Inc.,
CBS Corporation, Union Carbide Corporation,
Eutectic Corporation, A.O. Smith
Corporation and Sandvik, Inc.

LYNCH DASKAL EMERY LLP
264 West 40th Street
New York, NY 10018
Attn: James R. Lynch, Esq.
Telephone: (212) 302-2400
Attorneys for Defendants Illinois Tool Works Inc. and
Miller Electric Manufacturing Co.

BROTHERS & THOMPSON, P.C.
100 West Monroe St., Suite 1700
Chicago, IL 60603
Attn: Ronald Austin, Jr., Esq.
Telephone: (312) 372-2909
Attorneys for Defendants Illinois Tool Works Inc. and
Miller Electric Manufacturing Co.

SEGAL, McCAMBRIDGE, SINGER & MAHONEY, Ltd.
830 Third Avenue
New York, NY 10022
Telephone: (212) 651-7500
Attorneys for Defendant Arcos Industries, L.L.C.

MICHAEL A. CARDOZO
Corporation Counsel, City of New York
100 Church Street
New York, NY 10007
Attn: Raafat S. Toss, Esq.
Telephone: (212) 788-0596
Attorneys for Defendant City of New York

Friedman & James LLP
Andrew V. Buchsbaum, Esq. (AB-6475) (abuchsbaum@friedmanjames.com)
Attorneys for plaintiffs
132 Nassau Street, Suite 900
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MICHAEL TOSCANO and DONNA TOSCANO,

Plaintiffs,

-against-

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a/k/a UNIBRAZE CORPORATION; PRAXAIR,
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COMPANY, INC.; CBS CORPORATION, a
Delaware corporation, f/k/a VIACOM, INC.,
successor by merger to CBS CORPORATION,
a Pennsylvania corporation, f/k/a WESTINGHOUSE
ELECTRIC CORPORATION; UNION CARBIDE
CORPORATION; EUTECTIC CORPORATION;
A.O. SMITH CORPORATION; SANDVIK, INC.;
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Defendants.
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07 Civ. 7855 (JFK) (BF)

**DECLARATION IN
SUPPORT OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE—
D. John Neese, Jr.**

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

ANDREW V. BUCHSBAUM hereby declares as follows pursuant to 28 U.S.C. §

1746:

1. I am a member of the firm of Friedman & James LLP, attorneys for plaintiffs in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of plaintiff's motion to admit D. JOHN NEESE, Jr. as counsel *pro hac vice* to represent plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in New York on January 28, 1986. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known D. JOHN NEESE, Jr. since 2007.

4. D. JOHN NEESE, Jr. is an attorney with the law firm of Williams Kherkher Hart Boundas, LLP in Houston, Texas.

5. I have found MR. NEESE to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

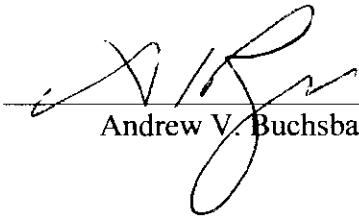
6. Accordingly, I am pleased to move the admission of MR. NEESE, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of D. JOHN NEESE, Jr., *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit D. JOHN NEESE, Jr., *pro hac vice*, to represent plaintiffs in the above-captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 30, 2007



Andrew V. Buchsbaum (AB-6475)

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

D. JOHN NEESE, JR.

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 7th day of November, 1997.

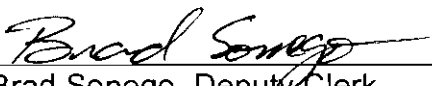
I further certify that the records of this office show that, as of this date

D. JOHN NEESE, JR.

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand
and the seal of the Supreme Court of
Texas at the City of Austin, this 25th day
of October, 2007.

BLAKE HAWTHORNE, Clerk

by 
Brad Sonogo, Deputy Clerk

No. 4786

Declaration of Service

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

ANDREW V. BUCHSBAUM hereby declares as follows pursuant to 28 U.S.C. § 1746:

I am a member of Friedman & James LLP, attorneys for plaintiffs. On October 30, 2007, I caused to be served by first class mail true and complete copies of Motion for Admission *pro hac vice* of D. JOHN NEESE, Jr., Esq. and proposed order upon the following:

DARGER & ERRANTE, LLP
116 E. 27th St., 12th Floor
New York, NY 10016
Attn: Vincent A. Errante, Esq.
Attorneys for Defendants The Lincoln Electric
Company, Hobart Brothers Company,
The ESAB Group, Inc., The BOC Group,
Inc., Praxair, Inc., TDY Industries, Inc.,
CBS Corporation, Union Carbide Corporation,
Eutectic Corporation, A.O. Smith
Corporation and Sandvik, Inc.

LYNCH DASKAL EMERY LLP
264 West 40th Street
New York, NY 10018
Attn: James R. Lynch, Esq.
Attorneys for Defendants Illinois Tool Works Inc. and
Miller Electric Manufacturing Co.

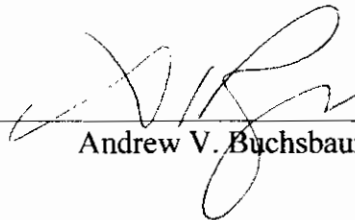
BROTHERS & THOMPSON, P.C.
100 West Monroe St., Suite 1700
Chicago, IL 60603
Attn: Ronald Austin, Jr., Esq.
Attorneys for Defendants Illinois Tool Works Inc. and
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SEGAL, McCAMBRIDGE, SINGER & MAHONEY, Ltd.
830 Third Avenue
New York, NY 10022
Attorneys for Defendant Arcos Industries, L.L.C.

MICHAEL A. CARDOZO
Corporation Counsel, City of New York
100 Church Street
New York, NY 10007
Attn: Raafat S. Toss, Esq.
Attorneys for Defendant City of New York

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 30, 2007



Andrew V. Buchsbaum

Friedman & James LLP
Andrew V. Buchsbaum, Esq. (AB-6475) (abuchsbaum@friedmanjames.com)
Attorneys for plaintiffs
132 Nassau Street, Suite 900
New York, NY 10038
(212) 233-9385 (telephone)
(212) 619-2340 (telefax)

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MICHAEL TOSCANO and DONNA TOSCANO,

Plaintiffs,

-against-

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A.O. SMITH CORPORATION; SANDVIK, INC.;
DELORO STELLITE COMPANY, INC.; ARCOS
INDUSTRIES, L.L.C.; MILLER ELECTRIC
MANUFACTURING CO., INC.; THE CITY OF
NEW YORK; and JOHN DOES DEFENDANTS A-Z,

Defendants.
-----X

07 Civ. 7855 (JFK) (BF)

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION--
D. John Neese, Jr.**

Upon the motion of Andrew V. Buchsbaum, attorney for plaintiffs Michael Toscano and Donna Toscano; and said sponsor attorney's declaration in support;

IT IS HEREBY ORDERED that

Applicant's Name:	D. JOHN NEESE, Jr.
Firm Name:	Williams Kherkher Hart Boundas, LLP
Address:	844I Gulf Freeway, Suite 600
City/State/Zip:	Houston, TX 77017-5051

Phone Number: (713) 230-2200
Fax Number: (713) 643-6226
email address: jneese@williamskherkher.com

is admitted to practice *pro hac vice* as counsel for Michael Toscano and Donna Toscano in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York
November __, 2007

United States District Judge